

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PETER LEMMAN,

Plaintiff,

v.

BENJAMIN PATRICK FOLEY, *et al.*,

Defendants.

CASE NO. C20-0591-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court on co-Defendant Benjamin Foley's motion for entry of default judgment on cross-claims brought against co-Defendant Peter Wilson (Dkt. No. 35). Mr. Wilson has not yet appeared in this matter before this Court and Mr. Foley already moved for entry of default, which the Clerk of Court granted August 20, 2020. (Dkt. No. 26.) But while Mr. Foley requests a sum certain, *see* Fed R. Civ. P. 55(b)(1), he fails to provide evidence to support the nine percent rate of interest for which he seeks accrual of post-judgment interest on. (*See generally* Dkt. No. 36.) Therefore, Mr. Foley's motion is DENIED without prejudice and with leave to amend. Mr. Foley may refile his motion, with evidence supporting accrual of post-judgment interest, for this Court's consideration.

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2 DATED this 10th day of December 2020.

3 William M. McCool
4 Clerk of Court

5 s/Paula McNabb
6 Deputy Clerk
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